

BEFORE THE
U.S. DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.

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Application of)	
)	
ATLAS AIR, INC.)	Docket OST-2009-
)	March 31, 2009
for an exemption from 49 U.S.C. § 41101)	
(U.S. – Afghanistan))	
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**APPLICATION OF ATLAS AIR, INC.
FOR AN EXEMPTION**

Expedited Action Requested

Communications with respect to this document should be served on:

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March 31, 2009

NOTICE: Any person has the right to support or oppose this application by filing an answer on or before April 14, 2009 and serving a copy on counsel for Atlas and all persons served with this application. However, in order to start service on or about April 7, 2009, Atlas intends to poll the carriers served with this application for non-objections.

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**APPLICATION OF ATLAS AIR, INC.
FOR AN EXEMPTION**

Pursuant to 49 U.S.C. §40109(c), Atlas Air, Inc. ("Atlas") requests an exemption to engage in scheduled foreign air transportation of property and mail between the United States and Afghanistan, including authority to operate via intermediate points to Afghanistan and beyond, to the extent applicable aviation agreements confer such rights. In support of this request, Atlas states as follows:

1. Atlas is a certificated air carrier engaged in foreign air transportation of property and mail throughout the world under authority conferred by the Department in various certificates and exemptions. Consistent with the Department's findings on prior occasions, Atlas remains a citizen of the United States and is fit, willing and able to engage in air transportation, as authorized.

2. Atlas has extensive recent experience operating flights to and from Afghanistan. In addition to flights for the U.S. military, Atlas has operated numerous

ATLAS AIR, INC.
Exemption Application

commercial charters to both Kabul and Bagram Air Force Base for private contractors in recent months. All Atlas operations are with Boeing 747 freighter aircraft in its fleet.

3. Atlas expects that its level of operations in Afghanistan will only increase. In particular, commencing April 7, 2009, Atlas has firm plans to begin operating a weekly B747 freighter flight that will serve Kabul, Afghanistan, Lahore, Pakistan and Dubai, UAE. While Atlas might be able to operate these flights as charters, and intends to do so on a temporary basis, if necessary, it desires the additional certainty that scheduled authority provides. Atlas already possesses scheduled rights to Pakistan and the UAE by virtue of its Certificate of Public Convenience and Necessity for Route 861, issued by Order 2007-7-4, but requires additional authority to serve Afghanistan.

4. To the best of our knowledge, there is no air services agreement between the United States and Afghanistan. However, based on communications with Afghani officials, Atlas has a high degree of confidence that Afghanistan will permit Atlas to conduct flights on a scheduled basis. Accordingly, Atlas requests grant of this application on the basis of comity and reciprocity. Consistent with its route integration certificate, Atlas intends to combine this authority with its other route authorizations and to serve multiple points, sometimes on a seventh freedom basis, to the extent permitted by applicable air services agreements.

WHEREFORE, Atlas Air, Inc. requests an exemption authorizing it to engage in scheduled foreign air transportation of property and mail between the United States and

ATLAS AIR, INC.
Exemption Application

Afghanistan, including authority to operate via intermediate points to Afghanistan and beyond, to the extent that applicable aviation agreements confer such rights, and such other and further relief as the Department finds to be consistent with this application and the public interest.

Respectfully submitted,



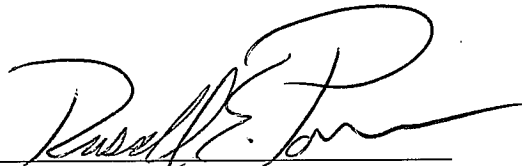
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Washington, D.C. 20006

March 31, 2009

CERTIFICATE OF SERVICE

I hereby certify that I have, this 31st day of March 2009, caused a copy of the foregoing application to be served by e-mail on all persons listed below:

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